

APR 04 2006

I hereby certify that I have reasonable basis to expect that this correspondence is being transmitted by facsimile addressed to: Commissioner for Patents, PO Box 1450, Alexandria VA 22313-1450 via fax number 571-273-8300 on

April 4, 2006Patrice Uchno Leland

Patrice L. Uchno Leland

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 10/674,210
(Attorney Docket No. GP-303156)

Filed September 29, 2003

Joseph P. Fannon
Terrence P. Costigan

Group 3632
Confirmation No. 2520

CABLE END FITTING RETAINER
ASSEMBLY

Attorney Paul Shanoski

PETITION SUBMITTED UNDER 37 CFR 1.137(b)

Attorney Paul Shanoski
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

In response to the Corrected Decision on Renewed Petition under 37 CFR 1.181(A) mailed March 16, 2006, Applicants submit this Petition under 37 CFR 1.137(b).

A grantable petition must be accompanied by:

- 1) The reply required to the outstanding Office action. Enclosed herewith is an Election in response to a Restriction requirement mailed on January 26, 2005.
- 2) Please charge the petition fee as set forth in 1.17(m) to Deposit Account 07-0960.
- 3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional.

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STATEMENT

The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional.

A Restriction Requirement was mailed January 26, 2005, which set the reply period at one month.

Applicants faxed an Election reply on February 3, 2005. Inadvertently, the header referred to another GM case and not to the application at hand. This error was not noted by the USPTO or GM until much later.

A Notice of Abandonment was mailed on August 22, 2005 since the Election could not be matched up with the correct application.

Applicants submitted a first petition under 37 CFR 1.181(a) on September 1, 2005 which was dismissed via the mailing of a decision on November 9, 2005. The petition was deemed insufficient and required that the statement be made by the person who signed the certificate of transmission.

Applicants obtained the signature of the person who signed the certificate and submitted a Renewed Petition to Withdraw Holding of Abandonment on December 9, 2005.

This renewed petition was granted on December 21, 2005 and the notice of abandonment was withdrawn.

The case was sent to the Examiner who noticed that the Election did not refer to the application at issue. At which time, the case was referred back to the Office of Petitions. USPTO Attorney Paul Shanoski and GM Attorney Laura Hargitt discussed the matter by phone and finally uncovered that the Election did respond to the appropriate case but that the header information referred to a different GM case. This error was unintentional.

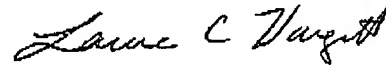
On March 16, 2006, the Office vacated the December 21, 2005 decision and dismissed the renewed petition. As suggested in the communication, Applicants believe that a petition under 37 CFR 1.137(b) should be granted as the error which created the delay was unintentional and that Applicants responded in a timely fashion to each occurrence noted above.

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As such, Applicants request that this petition under 37 CFR 1.137(b) be granted and that the case continue with prosecution. If there are any questions, please contact the undersigned.

Respectfully submitted,



Laura C. Hargitt - Attorney
Reg. No. 43,989
Telephone: 313-665-4710

LCH:plul
Enclosure

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ASSEMBLY

Examiner Ko Hung Chan

RESTRICTION UNDER 35 U.S.C. 121

Commissioner for Patents
PO Box 1457
Arlington VA 22313-1450

The Office Action mailed January 26, 2005 requires Applicants to elect a single disclosed invention for prosecution of the merits. Applicants elect Species I directed to Figures 1-8, 11. Claims 1-4, 6-10, 12-14, 16-19 and 21 are currently classified as generic. In addition to the generic claims, claims 5 and 15 are also readable on Species I. This election is made without traverse.

Respectfully submitted,

Laura C. Hargitt

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